

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Robin Christopher Smollen,

Petitioner,

vs.

ORDER

Marty C. Anderson, Warden,  
United States Department of Justice,  
Bureau of Prisons,  
FMC Rochester, Minn.,

Respondents.

Civ. No. 05-2204 (RHK/RLE)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is --

ORDERED:

1. That the Petition for Writ of Habeas Corpus [Docket No. 1] is dismissed as moot.
2. That the Respondent's Motion to Dismiss Petitioner's Habeas Petition Pursuant to Title 28 U.S.C. §2241 as Moot [Docket No. 6] is granted.

BY THE COURT:

s/Richard H. Kyle  
Judge Richard H. Kyle  
United States District Court

DATED: 3/28/06  
At St. Paul, Minnesota